GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:3429
ANSWERED ON:16.04.2008
GRANT OF LAND TO FOREST DWELLERS
Agarwal Shri Dhirendra;Vasava Shri Mansukhbhai D.

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government proposes to hand over vast stretches of sanctuary land to forest dwellers;

(b) if so, the details thereof alongwith the criteria fixed in this regard;

(c) the extent of land per individual likely to be handed over; and

(d) the time by which this is likely to be implemented?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS(SHRI S. REGUPATHY)

(a) & (b) The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been enacted on 2nd January 2007 to recognize and vest the forest rights and occupation in forest land including Sanctuaries and National Parks in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been primarily residing in such forests for generations but whose rights could not be recorded and to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. The Rules under the Act have been notified on 1st January 2008.As per the Act, the recognition and vesting of forest rights to the forest dwelling Scheduled tribes and to other traditional forest dwellers in respect of forest land shall be subject to the condition that such Scheduled tribes or tribal communities or other traditional forest dwellers had occupied forest land before the 13th Day of December 2005, wherein, traditional forest dweller means any member or community who has for atleast three generations prior to the 13 day of December 2005 primarily resided in and who depend on the forest or forests land for bonafide livelihood needs.

(c) & (d) The Sub-Section (6) of Section 4 of the Act envisages that the extent of land for an individual or family or community, as on the date of commencement of the Act,would be restricted to the area under actual occupation and in no case would exceed 4 hectares.However, forest rights recognized under this Act in critical wildlife habitats of National Parks and Sanctuaries as determined and notified under Section 2(b) of the Act may subsequently be modified or resettled in accordance with Section 4 (2) of the Act. The provisions of the Act are in force from 31st December 2007. However, no time framework for completion of implementation of the Act has been envisaged.